

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

MOV-ology LLC

Plaintiff,

v.

Temenos AG,  
Temenos U.S.A., Inc.,  
Temenos Cloud Americas, LLC,  
Avoka (USA), Inc., and  
Kony, Inc.,

Defendants.

Civil Action No. 6:23-cv-391-ADA

**Jury Trial Demanded**

**DECLARATION OF KIMBERLY BENTZ IN SUPPORT OF DEFENDANTS  
TEMENOS CLOUD AMERICAS, LLC AND AVOKA (USA), INC.'S  
MOTION TO DISMISS UNDER FED. R. CIV. P. 12(b)(3)**

I, Kimberly Bentz, hereby declare the following:

1. I provide this declaration in support of Temenos Cloud Americas, LLC and Avoka (USA), Inc.'s Motion to Dismiss Under Fed. R. Civ. P. 12(b)(3).

2. I am over the age of 18 and am the Head of People, Americas for Temenos U.S.A., Inc.

3. I neither work in nor reside in Texas.

4. Unless otherwise indicated below, the statements in this declaration are based upon my personal knowledge, my review of corporate records maintained in the ordinary course of business, or information provided to me in my role as Head of People, Americas for Temenos U.S.A., Inc.

5. Temenos Cloud Americas, LLC ("Temenos Cloud") is a Delaware Limited Liability Company. Temenos Cloud does not currently own or lease any real estate in Texas. Temenos Cloud did not own or lease any real estate in Texas on May 22, 2023.

6. Avoka (USA), Inc. (“Avoka”) is a California corporation. Avoka does not currently own or lease any real estate in Texas. Avoka did not own or lease any real estate in Texas on May 22, 2023.

7. Kony, Inc. is a Delaware corporation with an office at 5301 Southwest Parkway, Suite 250, Austin, Texas, 78735.

\* \* \*

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed in Malvern, Pennsylvania, this 10th of August 2023.

*Kimberly Bentz*

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Kimberly Bentz